IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 21st day of May, 2005

Bail application No. 375 of 2005
Order on Bail Application of accused

CRIMINAL SIDE

Pan Singh S/o Sobhan Singh
R/o Village – Talai (Supi),
Patwari Area – Loharkeht / Patiyasar,
Tehsil – Kapkot,
District – Bageshwar .....Applicant

Versus

State of Uttaranchal .....Opposite Party

Arising out of case crime No. 3 of 2005
U/S 307, 392, 504, 506 I.P.C.
Patwar Area - Patiyasar,
Tehsil- Kapkot
District – Bageshwar

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime no. 3 of 2005, U/S 307, 392, 504, 506 I.P.C., Patwar Area – Patiyasar, Tehsil – Kapkot, District – Bageshwar.

Heard Sri Birendra S. Adhikari learned counsel for the applicant, learned, A.G.A. and perused the record.

Learned A.G.A. could not file supplementary medical examination report of the victim Bisan Singh in spite of the specific order passed by this court earlier.

In the absence of the supplementary medical examination report of the victim, it is not possible for this court to come to the conclusion whether the injury was grievous or simple or what was the internal damage.

Keeping in view the aforesaid circumstances. I think it would be just and proper to release the applicant on bail at this stage.

Let the applicant, Pan Singh be released on bail on executing personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(B.C. Kandpal, J.)

May 21, 2005
Shiv